

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN DOMINGUEZ-  
ESTRADA,

Defendant.

CR 09-78-BLG-JDS

FINDINGS AND  
RECOMMENDATIONS  
CONCERNING PLEA and  
ORDER OF DETENTION

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to the charges in the Information.

After examining the Defendant under oath, the Court determined that the guilty plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense

charged and to which a guilty plea was entered contained each of the essential elements of the offense.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. I recommend that the Defendant be adjudged guilty and that sentence be imposed. A presentence report has been ordered.

Objections to these Findings and Recommendation are waived unless filed and served within ten (10) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

#### ORDER OF DETENTION

Pursuant to the Plea Agreement at page 12-13, paragraph 16, and for the reasons stated on the record, IT IS ORDERED that Defendant is remanded to the custody of the United States Marshal pending further proceedings.

DATED this 29<sup>th</sup> day of June, 2009.

/s/ Carolyn S. Ostby

CAROLYN S. OSTBY

United States Magistrate Judge